

Council on Postsecondary Education
Committee on Equal Opportunities
June 16, 2003

Committee on Equal Opportunities Terms of Appointment

Action: The staff recommends that the committee recommend to the Council terms of appointment for members of the CEO as follows: citizen members four years, council members one year or until replaced, and the legislative member one year or term of office.

In 1982, terms of appointments were established under Executive Order 82-476. In 1987, Executive Order 87-971 subsequently abolished and reconstituted the committee but delegated the responsibility for appointments to the Council. In 1997, the committee was again abolished under Executive Order 97-1072 and reconstituted under the Council on Postsecondary Education leaving the responsibility for appointments with the Council. Because it has existed almost 16 years, the committee should ask the Council to formally establish a pattern of appointments that is similar to other statewide boards and commissions. Other boards and commissions generally have staggered appointments over multiple years to insure continuity and institutional memory. The Council, for example, has six-year appointments but with staggered terms to provide continuity and institutional memory.

The Commonwealth of Kentucky responded to the U.S. Office for Civil Rights in 1981, through the Council on Higher Education, to bring Kentucky into compliance with Title VI of the Civil Rights Act of 1964. After acceptance of the Plan on June 23, 1982, Governor John Y. Brown, Jr., issued Executive Order 82-476 establishing an 11-member advisory committee to be known as the Higher Education Desegregation Plan Implementation Committee. The Governor committed that the committee would be biracial and would assist the Commonwealth in monitoring the plan implementation as prescribed in Section V, paragraph B, of the 1981 Plan. The implementation committee would not be composed of more than 20 members. It was composed of members of the Council, representatives of the university community, and citizens of the Commonwealth. The Governor appointed the chair and then delegated the responsibility for the committee to the Council. Members of the committee served at the pleasure of the Governor. The terms of appointments were for one year or until a successor was appointed.

The Commonwealth completed its five-year reporting to OCR in 1987, but wished to continue its commitment to desegregation initiatives begun under the 1981 Plan to assure equal educational opportunities for all Kentuckians regardless of race. Governor Martha Layne Collins, by Executive Order 87-971, abolished the Higher Education Desegregation Plan Implementation Committee and established the Committee on Equal Opportunities in Higher Education to advise the Council on strategies for achieving the relevant goals of the Strategic Plan for Higher Education.

As directed by executive order on May 16, 1988, the Council on Higher Education established the Committee on Equal Opportunities in Higher Education to advise the Council on strategies for achieving the relevant new goal in the *Strategic Plan for Higher Education in Kentucky*. The Council appointed ten persons to the CEO: two council members; one legislator; one member of an institutional board; one member from the Human Rights Commission; one member of the Urban League; one member of the NAACP; the Secretary of the Education, Arts, and Humanities Cabinet; two citizen leaders in the civil rights community; and the Executive Director of the Council on Higher Education as an ex-officio member. The terms of appointments were the same as that established by EO 82-476.

On August 20, 1997, Governor Paul E. Patton, as part of the reform of postsecondary education in Kentucky, issued Executive Order 97-1072 that abolished the Committee on Equal Opportunities established by the Council on Higher Education, and directed the Council on Postsecondary Education to establish a Committee on Equal Opportunities in Postsecondary Education to advise the Council on strategies for achieving the equal opportunity and institutional performance objectives.

In 1999, the Council on Postsecondary Education, on behalf of the Commonwealth, entered into a partnership with the U. S. Department of Education's Office for Civil Rights to implement an agreement that ensures Kentucky's compliance with Title VI of the 1964 Civil Rights Act. The committee is composed of 13 members: four members of the council, eight citizens of the Commonwealth, and one legislator. The chair of the Council appoints the committee chair and other members of the committee and the Council provides staff assistance. Members of the committee serve at the pleasure of the Council.